

04.05.2026
ML-105
Ct. No. 06
Srimanta

In the High Court at Calcutta
Civil Revisional Jurisdiction
Appellate Side

CO 3790 of 2025

Pranab Kumar Sarkar
-Vs.-
Municipal Commissioner & Ors.

Mr. Dilip Kumar Chatterjee,
Mr. Kushi Prasun Chatterjee,
Mr. Durga Bhusan Mukherjee
...for the petitioner.

This revisional application assails an order dated July 10, 2025 passed by the Municipal Building Tribunal, Kolkata Municipal Corporation in Appeal No. 183/2023 whereby the petitioner's application for condonation of delay (in preferring the appeal) under Section 5 of the Limitation Act, 1963 has been rejected on contest with cost of Rs.10,000/-.

The petitioner had lodged a complaint before the Kolkata Municipal Corporation Authorities alleging unauthorized construction at Premises No. 234B, Sarkar Hut Lane, Ward No. 126. Upon such complaint being filed, demolition case no. 57-D/Br.-XVI/19-20 was initiated. The said demolition case was disposed of by an order dated April 26, 2022 by the Special Officer (Building), Kolkata Municipal

Corporation. The said order was carried in appeal before the Municipal Building Tribunal by filing Appeal No. 183/2023. While such appeal ought to have been filed within 30 days from the date of the order, the same was filed much later.

The learned Tribunal has found that there is no explanation in the application under Section 5 and as such has dismissed the appeal.

The petitioner shall serve a copy of the revisional application along with notice on the opposite parties intimating them that the matter shall be taken up next on 18th May, 2026.

(Om Narayan Rai, J.)